

Affidavit of Laurence V. Cronin

Exhibit Z

EDS Performance Assessment

EDS Performance Assessment 2003

Name of Person Being Assessed	Hestel Lipscomb (MZ8S22)
Date Assessment was Printed	2004 Mar 23
Date Assessment was Last Updated	2004 Feb 25
Job Family	Corporate
Job Title / Code	Specialized Support Clerk I - 70980
Organization/Team Name	OS: DEXIX: CLAIMS
Organization Number	263482
Country	UNITED STATES
Name of Supervisor/Manager	Tracey Eaddy

The EDS Performance Differentiator (Tool) is used by EDS Leaders to assess and differentiate the performance of EDS employees. The information contained herein is not intended to alter the pre-existing terms of employment between an employee and EDS, or to grant additional rights or privileges to employees.

This Tool and the information it contains are the property of Electronic Data Systems Corporations ('EDS') and are made available only to employees of EDS, its subsidiaries, and affiliates. To the extent permitted by law, EDS retains the right to change, modify, suspend, interpret, or eliminate any provision of this Tool, retroactively or proactively, at any time, with or without notice.

EDS II 00179

EDS Confidential-Personal

EDS Performance Assessment**Directions:**

The importance weight is not pre-assigned. Based on the importance to the individual's job, please assign the importance scale according to the weighting scale provided (1 to 10). Use the Score Response Scale (1 to 9) to determine the frequency (score) that the leader observes the individual demonstrating that stated behavior. The upper end of the scale (7, 8 or 9) indicates that the behavior is exceptional. The middle of the scale (4, 5, or 6) indicates the behavior is complete. The lower end of the scale (1, 2, or 3) indicates the behavior is limited.

The Shared Competencies section accounts for 20% of the overall performance score.

Score Response Scale

	4	5	6	7	8	9
Limited			Complete			Exceptional

I. Demonstration of Shared Competencies.

Importance weights are not pre-assigned. (Based on the importance to the individual's job, assign the importance score accordingly.)

Shared Competencies	(Max 10) Importance	(1-9) Score
1. Communication	8.00	7
2. Problem Solving	7.00	7
3. Relationship Building	8.00	6
4. Decision Making	7.00	7
5. Client Focus	9.00	7
6. Teamwork	9.00	7
7. Innovation & Change	7.00	6
8. Planning & Implementing	7.00	7
9. Personal Management	8.00	7
10. Market Insight	5.00	4

EDS II 00180

EDS Performance Assessment**Directions:**

The importance weight is not pre-assigned. Based on the importance to the individual's job, please assign the importance scale according to the weighting scale provided (1 to 10). Use the Score Response Scale (1 to 9) to determine the frequency (score) that the leader observes the individual demonstrating that stated behavior. The upper end of the scale (7, 8 or 9) indicates that the behavior is exceptional. The middle of the scale (4, 5, or 6) indicates the behavior is complete. The lower end of the scale (1, 2, or 3) indicates the behavior is limited.

The Job Specific Competencies and Supplemental Skills (if any) section accounts for 30% of the overall performance score.

Score Response Scale**II. Demonstration of Job Specific Competencies**

Importance weights are not pre-assigned. (Based on the importance to the individual's job, assign the importance score accordingly.)

<u>Job Specific Competencies</u>	<u>(Max 10) Importance</u>	<u>(1-9) Score</u>
1. Act on customer needs	9.00	8
2. Apply standards and regulations	9.00	8
3. Collect business information	8.00	7
4. Control work flow and processes	8.00	6
5. Coordinate workforce requirements	7.00	6
6. Exercise independent judgment	8.00	7
7. Perform quantitative calculations	0.00	N/A
8. Rectify counterproductive work processes	7.00	6
9. Report resource problems	7.00	7
10. Respond to telephone inquiries	6.00	6
11. Review work for completeness and accuracy	9.00	8

EDS II 00181

EDS Performance Assessment**Directions:**

The Objective section requires the leader (with input from the employee as applicable) to document the business and learning objectives for the assessment period. Business objectives should align with the team, account and unit business plans and objectives. For an objective to be included in the overall performance score, an importance weight must be assigned by the leader. Use the Objective Response Scale provided to score the section. Use the upper end of the scale (7, 8 or 9) if the objective has been surpassed. Use the middle of the scale (4, 5 or 6) if the objective has been achieved. Use the lower end of the scale (1, 2 or 3) if the objective has not been met.

The Objectives section accounts for 50% of the overall performance score.

Score Response Scale**III. Objectives**

Importance weights are not pre-assigned. (Based on the importance to the individual's job, assign the importance score accordingly.)

<u>Objectives</u>	<u>(Max 10) Importance</u>	<u>(1-9) Score</u>
1. Have a positive and professional attitude at all times.	8.00	6
<u>Achieved By:</u> 2003 Dec 31 <u>So That:</u> Our workplace is a supportive environment where negativity is unacceptable and problems are met with viable solutions. <u>Standards:</u> Customer and co-workers are treated courteously and with the utmost respect. Complaints or issues are brought to the attention of leadership where they can be appropriately remedied. <u>Measurement:</u> Observation of your leadership and co-workers. Feedback from the customer and clients.		
2. Assert ownership and pride of the work that is performed in the mailroom.	8.00	7
<u>Achieved By:</u> 2003 Dec 31 <u>So That:</u> We meet and exceed our contractual requirements.		

EDS II 00183

EDS Performance AssessmentStandards:

Maintain 98% quality ratio.

Measurement:

Feedback from the customer.

Feedback from the provider community and provider relations.

Observation of your leadership team.

<u>Objectives</u>	<u>(Max 10) Importance</u>	<u>(1-9) Score</u>
3. Take advantage of the courses offered by EDS University or the CBT courses.	7.00	5

Achieved By:

2003 Dec 31

So That:

You take ownership of your self-development and enhance your computer skills.

Standards:

At least 1 course to be completed.

Measurement:

Completion results submitted to your supervisor.

<u>Objectives</u>	<u>(Max 10) Importance</u>	<u>(1-9) Score</u>
4. Expand your knowledge of the Medicaid contract.	7.00	6

Achieved By:

2003 Dec 31

So That:

You will grow professionally and enhance your work skills.

Standards:

Learn the claim adjudication process by taking ownership of one edit.

Measurement:

Maintain quality ratio of 98%.

Feedback from supervisor.

EDS Performance Assessment

IV. Summary

Strengths:

She has the ability to multi-task and get all work assignments done in a timely manner. She does what it takes to get the job done. She has also helped different areas of the account to get caught up, this is a huge accomplishment.

Needs:

I feel Hestal needs to maintain a positive and professional attitude at all times. Make sure you are a back up to all team members. If someone is out take ownership to ensure all of their functions are being completed.

Performance Summary:

Hestal is a great employee. She takes a challenge and runs with it. She has great quality and does whatever it takes to get the job done. You should continue to learn and cross train in other areas so you can understand the entire flow of a claim and how it is processed.

Your Performance Level:

Meets Expectations

Manager Acknowledgement of Delivery:

Lacey Eaddy

Date: 3/23/04

Employee Acknowledgement of Delivery:

Hestal Lipscomb

Date: 3/23/04

My signature above acknowledges that my leader and I have discussed the content of this Assessment. My signature is merely acknowledging the receipt of the information and does not indicate my agreement or disagreement with this assessment or my grouping level.

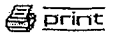
In the United States - Please keep a signed copy of this document for three years after the employee has separated from EDS. In the event of a transfer please forward a copy to the gaining manager. For countries outside of the United States, please follow country specific procedures as communicated by your local Human Resources Department.

Affidavit of Laurence V. Cronin

Exhibit AA

Printer Friendly Page

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<http://miva.delawareonline.com/miva/cgi-bin/miva?obits.mv+52753>

ROBERTA MCWILLIAMS

Roberta L. McWilliams
"Sweetie"

Age 54 of Millsboro, DE died Friday, July 1, 2005, at Beebe Hospital, Lewes, DE. She was born, raised and educated in Upper Chichester, PA and had resided in Millsboro, DE for the past 13 years. She was a system analyst for Electronic Data Systems for 15 years prior to her illness. She was a member of the Long Neck Business Association, Millsboro Lions Club and Millsboro Chamber of Commerce.

She was predeceased by her mother, Gloria H. Julius Green, who died in 1999. She is survived by her children, Kimberly D. Wade of Lewes, DE and Joseph Wade and his wife, Christi Jo Wade, of Pennsville, NJ; father, William T. Green of Odgen, PA; 1 brother, Russ Green of Odgen, PA; and 1 sister, Denise Coale of Brookhaven, PA.

A funeral service will be held 11 am on Thursday, July 7, at the MORELAND-PAGANO FUNERAL HOME, 825 Main St., Trainer, PA, where a viewing will be held from 9-11 am. Interment will be in Lawn Croft Cemetery, Linwood, PA.

In lieu of flowers, the family requests donations to the American Cancer Society of DE, 92 Reads Way, New Castle, DE 19720.

[published 07/03/2005]

Affidavit of Laurence V. Cronin

Exhibit BB

From: Jackson, Barbara A
Sent: Friday, July 09, 2004 11:23 AM
To: Cornwell, Christine M
Subject: FW: Hestall - Attendance Improvement Plan

Importance: High
Please review & comment.

Thank you,
BJ

Barbara A. Jackson
Claims Operations Manager
EDS - DE Title XIX
248 Chapman Rd. - Suite 100
Newark, DE 19702
phone: +01-302-454-7622 (ext. 139)
mailto:bjackson@eds.com

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-----Original Message-----

From: Eaddy, Tracey
Sent: Friday, July 09, 2004 12:17 PM
To: Jackson, Barbara A
Subject: Hestall

Thanks,
Tracey Eaddy



Hestall
Ipscomb.doc (35 KB)

-Delaware Healthcare Services

Claims Supervisor

phone: 302-453-8453 x 108

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EDS II 00043

mail and any attachments.

SAMPLE OF AN ATTENDANCE IMPROVEMENT PLAN

TO: Hestal Lipscomb
FROM: Tracey Eaddy
DATE: 7/12/04
SUBJECT: Attendance Improvement Plan

Attendance Improvement Plan

On 4/16/04 we discussed your unacceptable attendance/tardiness. Specifically, from January 12, 2004 to April 16, 2004, excluding any FMLA absences, you missed 2 days of work and were tardy a total of 4 times. To date, there has not been acceptable improvement. From January 12, 2004 to July 9, 2004 excluding any FMLA absences, you have missed 16 (13 of these days were the result of an FMLA denial) days of work and been tardy a total of 5 times. As we have discussed in the past, frequent and/or excessive absences significantly decrease your ability to perform your job, have an adverse impact on customer service, and place a burden on your teammates. EDS values you as an employee, and it is your leadership team's intent to make you fully aware of this situation and to assist you in improving your attendance.

As a result of your current unacceptable attendance, you are being placed on an attendance improvement plan. During the next 60 days from July 12, 2004 to September 12, 2004 your attendance will be closely monitored by your leadership team. You must demonstrate immediate improvement and comply with the following:

TERMS OF THE PLAN:

- During this time period, you will be allowed a total of 1 day(s) as excused absences (excluding any FMLA qualifying absences or other protected leave) and these must be accompanied by a health care provider's statement confirming a medical need for the absence.
- You must contact your team leader, Linda Jackson, personally at 302-453-8453 x 142 by 8:00 A.M. if you are unable to come to work. Should your team leader not be available, you should leave a voicemail, or contact Tracey Eaddy at 302-453-8453 x 108 and leave a telephone number with the telephone number where you can be reached.

- Your work schedule is from 8:00 to 5:00 with 60 minutes for lunch. Additionally, you are allowed two 15 minute breaks per day. During the time period of this Plan, no tardiness will be allowed. Returning late from breaks and/or lunch will be considered a tardy in violation of this Plan.

The requirements of this improvement plan exclude any qualifying FMLA-absences or other protected leave.

As indicated, improvement must occur immediately and must be maintained. Any tardiness or absences beyond the 1 excused day(s), whether or not they are accompanied by a health care provider's statement or other documentation (excluding any FMLA qualifying absences or other protected leave), may be considered unexcused. Any unexcused tardiness or absences will be considered a violation of this Plan and may result in further disciplinary action, up to and including separation without further warning or notice. If, after successfully completing the improvement plan, attendance once again becomes a problem, separation from EDS, without the issuance of another warning or improvement plan, also may occur.

During this time period, you are not eligible to take any vacation/PTO time.

As always, the Open Door Policy is available for you to discuss any concerns.

Please understand that nothing in this document alters your status as an at-will employee, meaning you can be separated at any time for any reason or for no reason at all.

Your signature acknowledges this discussion and receipt of a copy of this Plan. It does not indicate agreement or disagreement with this Plan.

Employee Signature

Date

Leader Signature

Date

Witness Signature

Date

From: Cornwell, Christine M
Sent: Friday, July 09, 2004 1:56 PM
To: Jackson, Barbara A
Subject: RE: Hestal - Attendance Improvement Plan

Barbara - that is OK with me, certainly your decision. I just want to make sure that you will be consistent with others on AIPs in the future and that it is consistent with what you have done in the past. Christine

-----Original Message-----

From: Jackson, Barbara A
Sent: Friday, July 09, 2004 1:46 PM
To: Cornwell, Christine M
Subject: FW: Hestal - Attendance Improvement Plan

-----Original Message-----

From: Eaddy, Tracey
Sent: Friday, July 09, 2004 2:44 PM
To: Jackson, Barbara A
Subject: RE: Hestal - Attendance Improvement Plan

I changed from 90 days to 60 days and gave her 1 day of excused absence. Is that ok with you? << File: Hestal Lipscomb.doc >>

Thanks,
Tracey

-----Original Message-----

From: Jackson, Barbara A
Sent: Friday, July 09, 2004 2:34 PM
To: Eaddy, Tracey
Subject: FW: Hestal - Attendance Improvement Plan

See what Rose has done on this with regards to incidents.

BJ

-----Original Message-----

From: Cornwell, Christine M
Sent: Friday, July 09, 2004 2:12 PM
To: Jackson, Barbara A
Subject: RE: Hestal - Attendance Improvement Plan

Barbara - there are only two areas that I would suggest you consider changing. First is that of the number of excused absences allowed. For the period of three months, zero absences may be considered unrealistic. You should consider what you have done for others - on other AIPs. You may consider a 30 day AIP with zero absences or possibly two absences for a 90 day AIP.

EDS II 00047

The only other change is in the last bullet there are brackets left in from the template that are not necessary - those should be removed.

Please send me the revised version when you make your decision.

Christine

-----Original Message-----

From: Jackson, Barbara A
Sent: Friday, July 09, 2004 11:23 AM
To: Cornwell, Christine M
Subject: FW: Hestel - Attendance Improvement Plan
Importance: High

Please review & comment.

Thank you,

BJ

Barbara A. Jackson
Claims Operations Manager

EDS - DE Title XIX

248 Chapman Rd. - Suite 100

Newark, DE 19702

phone: +01-302-454-7622 (ext. 139)

mailto:bjackson@eds.com

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-----Original Message-----

From: Eaddy, Tracey
Sent: Friday, July 09, 2004 12:17 PM
To: Jackson, Barbara A
Subject: Hestel

<< File: Hestel Lipscomb.doc >>

Thanks,

Tracey Eaddy

e -Delaware Healthcare Services

Claims Supervisor

phone: 302-453-8453 x 108

EDS II 00048

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From: Cornwell, Christine M
Sent: Friday, July 09, 2004 1:12 PM
To: Jackson, Barbara A
Subject: RE: Hestal - Attendance Improvement Plan

Barbara - there are only two areas that I would suggest you consider changing. First is that of the number of excused absences allowed. For the period of three months, zero absences may be considered unrealistic. You should consider what you have done for others - on other AIPs. You may consider a 30 day AIP with zero absences or possibly two absences for a 90 day AIP.

The only other change is in the last bullet there are brackets left in from the template that are not necessary - those should be removed.

Please send me the revised version when you make your decision.

Christine

-----Original Message-----

From: Jackson, Barbara A
Sent: Friday, July 09, 2004 11:23 AM
To: Cornwell, Christine M
Subject: FW: Hestal - Attendance Improvement Plan
Importance: High

Please review & comment.

Thank you,
BJ

Barbara A. Jackson
Claims Operations Manager
EDS - DE Title XIX
248 Chapman Rd. - Suite 100
Newark, DE 19702
phone: +01-302-454-7622 (ext. 139)
mailto:bjackson@eds.com

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-----Original Message-----

From: Eaddy, Tracey
Sent: Friday, July 09, 2004 12:17 PM
To: Jackson, Barbara A
Subject: Hestal

<< File: Hestal Lipscomb.doc >>

EDS II 00050

Thanks,
Tracey Eaddy

e -Delaware Healthcare Services

Claims Supervisor

phone: 302-453-8453 x 108

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Exhibit CC

Jackson, Barbara A

From: Eaddy, Tracey
Sent: Thursday, June 17, 2004 2:51 PM
To: Jackson, Barbara A
Subject: FW: Hestal Lipscomb Confidential - FMLA Leave Notice

FYI -

Thanks,
Tracey

-----Original Message-----

From: CIGNALEAVESOLUTIONS [mailto:CIGNALEAVESOLUTIONS@shps.net]
Sent: Thursday, June 17, 2004 2:09 PM
To: tracey.eaddy@eds.com
Subject: FW: Hestal Lipscomb Confidential - FMLA Leave Notice

tracey.eaddy@eds.com ;

Hestal Lipscomb has been denied a leave of absence for Federal FMLA Leave for the following timeframe: 4/28/04 to 7/21/04. This leave has been denied due to Certification not obtained.

If you have questions, please call the CIGNA Leave Solutions service center at (800) 778-8458.

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Exhibit DD

Eaddy, Tracey


From: Jackson, Linda
Sent: Monday, May 10, 2004 3:58 PM
To: Eaddy, Tracey
Cc: Jackson, Barbara A
Subject: Hestal Lipscomb

Hi Tracey,

I just spoke with Hestal. The Doctor has released her to return to work on Monday 5/17.

Thank you.

Linda Jackson

Processing Control Unit
Team Leader
EDS-Healthcare Services
phone: 302-454-7622 ext 142
 Ljackson@eds.com

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Exhibit EE

From: Jackson, Barbara A
Sent: Thursday, June 17, 2004 4:39 PM
To: Cornwell, Christine M
Subject: Need Direction
Christine,

I need your input as to next steps with regards to one of my employees: Hestel Lipscomb. She went out for surgery 4/29/04 & did not return to work til 5/14/04. We are in receipt of the following two notices advising that she did not qualify for short term disability or FMLA. Please review the attachments.



FW: Hestel
Lipscomb



FW: Hestel
lipscomb Confidential.

Thank you,

BJ

Barbara A. Jackson
Claims Operations Manager

EDS - DE Title XIX

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Newark, DE 19702

phone: +01-302-454-7622 (ext. 139)

mailto:bjackson@eds.com

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